

Remarks

Applicants have amended the title to reflect the presently claimed invention, and have also updated the status of applications in the Cross Reference to Related Applications section. Further, Applicants have canceled claims 1 to 19 without prejudice or disclaimer, and added new claims 20 to 42 in order to claim embodiments of the subject matter of the provisionally elected group. New claims 20 to 42 find support throughout the specification as originally filed, and thus no new matter has been added.

Claims 20 to 42 are pending.

The Restriction Requirement

Pursuant to the Office Action mailed July 8, 2005, the Examiner has required an election under 35 U.S.C. § 121 of one of Groups I to XII. The Examiner contends that the inventions of the Groups are distinct, each from the other.

In response, Applicants elect the invention of Group III, represented by new claims 20 to 42, drawn to M-CIF antibodies, for further prosecution. Applicants point out that claims 1-19 have been canceled without prejudice or disclaimer, and that new claims 20 to 42 are believed to fall within one Group for election purposes. However, Applicants note that new claim 35 is a dependent claim directed to methods of detecting M-CIF protein using the claimed antibodies. Should the Examiner decide to restrict claim 35 into a separate group from claims 20 to 34 and 36 to 40, Applicants further provisionally elect the group represented by claims 20 to 34 and 36 to 40. In this event, claim 35 should be rejoined upon the allowance of claims 20 and 22 in light of M.P.E.P. § 821.04.

Should the Examiner restrict new claims 20 to 42 further, Applicants retain the right to traverse that restriction under 37 C.F.R. § 1.144.

Conclusion

Entry of the above amendment is respectfully solicited. The Examiner is invited to call the undersigned at the phone number provided below if any further action by Applicants would expedite the examination of this application.

If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 08-3425. If a fee is required for an extension of time under 37

C.F.R. § 1.136, such an extension is requested and the appropriate fee should also be charged to our Deposit Account.

Dated: August 8, 2005

Respectfully submitted,

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